



TOWN OF LEXINGTON SELECTMEN'S OFFICE

APPLICATION FOR BATTLE GREEN PERMIT

The Board of Selectmen issues permits for the use of the Battle Green (see attached regulations). Please fill in this form completely and return to the Selectmen's Office no later than two weeks prior to the requested date.

NAME, PHONE NUMBER, and EMAIL ADDRESS OF A RESPONSIBLE CONTACT: _____

DATE AND TIME OF EVENT: _____

NATURE OF EVENT: _____

EXPECTED NUMBER OF PARTICIPANTS, SPECTATORS, AND VEHICLES: _____

DURATION OF EVENT: _____

STATEMENT OF EQUIPMENT AND FACILITIES TO BE USED: _____

SECTION OF THE GREEN DESIRED: _____

ADDITIONAL INFORMATION: _____

Authorized Signature

Federal Identification No. or

Social Security Number

BOARD OF SELECTMEN REGULATION

USE OF THE BATTLE GREEN

Date Approved by BOS:

December 21, 2009

Signature of Chair:

Norman B. Cohen

The following rules and regulations have been adopted in accordance with the Code of the Town of Lexington, Chapter 100-10, as amended. If these regulations or portions thereof, conflict with the Code, the Code shall take precedence.

1. Definitions

- a. "Audio device" means any radio, television set, musical instrument, or other device that produces noise.
- b. "Disorderly conduct" means any action intended to cause inconvenience, annoyance, or alarm, or which recklessly creates a risk thereof; fighting, threatening or violent behavior; unreasonable noise; abusive language directed toward any person present; wrestling in vicinity of others; throwing of breakable objects; malicious throwing of dangerous objects or stones; open fires, burning objects or spitting.
- c. "Powerless flight" means any device used to carry persons or objects through the air; for example, sailplanes, gliders, balloons, body kites, hang gliders.
- d. "Public use limit" means the maximum number of people or the amount, size, or type of equipment permitted on the Battle Green at one time, as established by the Board of Selectmen.
- e. "Special event" means demonstrating, picketing, speechmaking, marching, holding of vigils, and all other similar forms of conduct which involve the active communication or expression of opinions or grievances, engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd or onlookers.
- f. "Compromised turf" shall mean any natural condition that would make the Green vulnerable to excessive damage by heavy wear or use; for example, heavy rains, reseeding, and drought conditions.
- g. "Non-permit activities" shall mean activities that may be engaged in without a permit issued by the Board of Selectmen.

2. Non-Permit Activities

Subject to the restrictions in these rules and regulations, permits shall not be required for:

- a. Conduct that does not cause public inconvenience, annoyance, or alarm.
- b. Picnicking restricted to groups of no more than seven people. Picnicking on the Green by bus tours or similar groups is forbidden.

- c. The gathering of groups on the Battle Green for the sole purpose of exploring and enjoying its history, and which do not remain for more than four hours.
- d. Playing of audio devices at a reasonable volume.
- e. The playing of games that do not:
 - i. exceed three players; or
 - ii. damage the Green's physical condition; or
 - iii. disturb or inconvenience those visiting the Green for historic interest; or
 - iv. constitute any type of disorderly conduct.

3. Permit Required Activities

- a. The purpose for requiring permits for certain activities is to promote the use of the Battle Green in a manner consistent with its nature and history; to protect the Battle Green from harm; to ensure adequate notice of the event so that arrangements can be made to protect the public health and safety and to minimize interference with the event by the public.
- b. Permits are required for any of the following activities, singly or in combination:
 - i. Any group activity reasonably likely to exceed the public use limit established by the Board of Selectmen.
 - ii. Special events, public meetings, assemblies, gatherings, demonstrations, parades, and other active public expressions of interest, not to exceed eight hours in duration.
 - iii. Pageants, reenactments, regattas, entertainments, or other as public spectator attractions.
 - iv. Displays of a ceremonial nature in connection with special events and limited in duration to the period required for such events.
 - v. Use of public address system, electrical lighting, or other electrical devices.
 - vi. Distribution of non-commercial printed matter.
 - vii. Possession of firearms if unloaded or packed in such a way as to prevent their use.
 - viii. Possession of explosives, as long as individuals or groups conform to Federal, State, and local laws governing such possession.
 - ix. Use or possession of fireworks or firecrackers.

4. Impermissible Activities

The following activities are strictly prohibited:

- a. Any group activity that exceeds the public use limit established by the Board of Selectmen for the Battle Green.

- b. Possession, destruction, injury, defacement, removal, or disturbance of any building, sign, equipment, monument, statue, marker, animal or plant.
- c. Distribution or display of commercial advertising; or soliciting of business; or any other commercial transactions.
- d. Remaining on the Battle Green for more than four hours.
- e. Abandonment of any vehicle or personal property.
- f. Unreasonably loud operation of audio devices.
- g. Delivery of any person or thing by parachute or helicopter.
- h. Powerless flight activities.
- i. Begging.
- j. Disorderly conduct.
- k. Use of firearms.
- l. Use of metal detecting devices.
- m. Gambling of any form or operation of gambling devices.
- n. Picnicking except as provided above in 2b.
- o. Consumption of alcoholic beverages or use of unlawful substances.
- p. Use of roller skates and skateboards.
- q. Placement on the Battle Green of any unattended structure or planting of any trees/plants by a private party.

5. Permit Process

- a. Application for permits to conduct activities on the Battle Green, specified in 3, above, shall be filed no later than two weeks prior to the requested date. Late and/or incomplete applications will be considered at the discretion of the Board of Selectmen.
- b. Permit applications shall include the following information:
 - i. Name and phone number of a responsible contact.
 - ii. Date and time of event.
 - iii. Nature of event.
 - iv. Expected number of participants, spectators, and vehicles.
 - v. Duration of event.
 - vi. Statement of equipment and facilities to be used.
 - vii. Section of the Green desired.
- c. The responsible party is to keep the permit, which must be available for inspection upon request. The responsible party may be required by the Board of Selectmen, as a condition of issuing the permit, to pay for detail police officers if the Board determines that such officers are necessary for public safety.
- d. Permits are issued upon express condition that the Green is to be left in an orderly fashion.
- e. Permits are non-transferable; and are only valid for date and time specified. For cause the Police Chief or his designee may extend a permit for up to 2 hours.
- f. A permit shall be revoked if a sanctioned event engages in impermissible activities and may be revoked if the permit group engages in activities that are not within the specifications of the permit.

- g. The Board of Selectmen may alter a request by setting reasonable conditions and restrictions as to duration and area occupied, as are necessary for protection of the area and public use thereof.
- h. Compromised turf conditions may supersede the use of a granted permit at the discretion of the Board of Selectmen to protect the condition of the Battle Green.

6. Grounds For Denial Of Permit Request

- a. Prior applications for permit for conflicting schedule has been made or will be granted.
- b. Event presents a clear and present danger to public health or safety.
- c. Event is of such nature or duration that it cannot reasonably be accommodated in the area applied for; or the expected number of participants exceeds the public use limit.
- d. Event will, in the opinion of the Board of Selectmen, cause unacceptable interference with use and enjoyment of the Green by the general public.
- e. Event is requested for a date that conflicts with official celebrations of the Town.
- f. Event is more appropriately held at other available Town facilities, such as recreational facilities.

7. Patriot's Day Weekend

On Patriot's Day weekend, Friday through Monday, only Town-sponsored activity is permitted. Private usage, otherwise permitted, is prohibited throughout this period.

8. Penalties

Penalties for violations of these regulations shall be in accordance with Chapter 10-4 and 10-6 of the Code of the Town of Lexington,

Battle Green Regulation approved by the Board of Selectmen July 15, 1986.

Amended July 24, 2000

Amended December 21, 2009.